

DATE: September 15, 2004

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SCHERING-PLOUGH CORPORATION
PATENT DEPARTMENT K-6-1, 1990
KENILWORTH, NEW JERSEY 07033
UNITED STATES OF AMERICA
TELECOPIER NO. (908) 298-5388

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In re Application of: Homey et al.
For Patent entitled: "Uses of Mammalian Genes and Related Reagents"
Group Art Unit: 1646
Filed: November 27, 2001
Attorney Docket No.: DX01342
Serial No.: 09/995,534

Transmitted herewith are:

- Response Transmittal PTO/SB/21 (1 pg.)
- Petition for Extension of Time PTO/SB/22 (1 pg.)
- Fee Transmittal PTO/SB/17 (1 pg.) In Duplicate
- Notice of Appeal From the Examiner to the Board of Patent Appeals and Interferences and Petition for Extension of Time (2 pgs.)
- Fax Cover Sheet (1 pg.)
- Certificate of Transmission under 37 CFR 1.8 (1 pg.)


Thomas Triolo

Registration No. 48,001

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Attorney Docket No.: DX01342
 Application No.: 09/995,534
 Filing Date: November 27, 2001
 First Named Inventor: Horney et al.

PTO/SB/97 (08-08)
 Approved for use through 07/31/2006, OMB 0651-0031
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PTO/SB/21 (02-04)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/995,534
Filing Date	November 27, 2001
First Named Inventor	Homey et al.
Art Unit	1646
Examiner Name	Elizabeth Kemmerer
Attorney Docket Number	DX01342

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

- ☒ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment/Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☒ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation
- ☐ Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s)

- ☐ After Allowance communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):
- Notice of Appeal Submission (2 pgs.)
- Certificate of Transmission (1 pg.)
- Fax Cover Sheet (1 pg.)

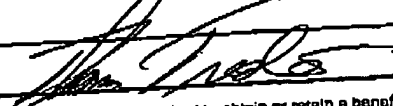
Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Thomas Triolo
Signature	
Date	September 15, 2004

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Typed or printed name	Thomas Triolo	Date	September 15, 2004
Signature			

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PTO/SB/17 (10-03)
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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**1,170.00**

Complete if Known

Application Number	09/995,534
Filing Date	November 27, 2001
First Named Inventor	Honey et al.
Examiner Name	Elizabeth Kemmerer
Art Unit	1646
Attorney Docket No.	DX01342

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number: 19-0365

Deposit Account Name: Schering-Plough Corporation

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 180	2006 80	Provisional filing fee	
SUBTOTAL (1)			(\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	Reissue independent claims over original patent	
1205 18	2205 9	Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$) 0

*or number previously paid, if greater. For Reissues, see above

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 85	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 85	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	840.00
1253 850	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	330.00
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,610	1451 1,610	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1480 130	1480 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) _____ **SUBTOTAL (3)** (\$)**1,170.00**

*Reduced by Basic Filing Fee Paid

SUBMITTED BY

Name (Print/Type): Thomas Triolo

Signature: *Thomas Triolo*

Registration No. 48,001

Telephone 908-298-2347

Date September 15, 2004

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PTO/SB/17 (10-03)

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for FY 2004**

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☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ 1,170.00**Complete if Known**

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Examiner Name	Elizabeth Kemmerer
Art Unit	1646
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☒ Charge any additional fee(s) or any underpayment of fee(s)

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FEE CALCULATION**1. BASIC FILING FEE**

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1003 530	2003 265	Plant filing fee	
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1005 180	2006 80	Provisional filing fee	
SUBTOTAL (1)			(\$ 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims: - 20** = X =

Independent Claims: - 3** = X =

Multiple Dependent:

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	85	2201	43	Independent claims in excess of 3
1203	280	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

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1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify): **SUBTOTAL (3)** (\$ 1,170.00

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(Complete if applicable)

SUBMITTED BY

Name (Print/Type) Thomas Triolo

Signature

Registration No.

48,001

Telephone 908-298-2347

Date September 15, 2004

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